



In re the Application of:

Leon W.M.M. Terstappen, Galla Chandra Rao, Herman Rutner, and Paul A. Liberti

Application/Control Number: 09/801,471

Application Filed: March 7, 2001

Title: Labeled Cells For Use As An Internal Functional Control In Rare Cell Detection Assays.

Art Unit: 1642

Examiner: Karen A. Canella, Ph.D.

Assistant Commissioner for Patents,  
Washington, DC 20231

Dear Sir or Madam:

Enclosed please find a marked-up version along with a clean version of the amended claims as required under 37 CFR 1.121(c)(1)(i) for the amendment filed on October 16, 2002.

**VERSION WITH MARKINGS TO SHOW CHANGES**

**In the claims:**

Please amend claims ~~1, 7, 9, 10, 16, 22, 23, 28, 35, 41, 42~~. 47, 50 and 54 as follows:

1. (Amended) A process for producing a stabilized cell for use as an internal control in methods for isolating and identifying rare cells, said stabilized control cell having determinants in common with said rare cells, said process comprising:[,]
  - a) redundantly labeling said control cell with at least two fluorescent labels having the same spectral properties;
  - b) permeabilizing said control cell;